

## **REMARKS**

Reconsideration of the present application is respectfully requested.

### **Summary of Office Action**

Claims 1, 2, 4-5, 9-10, 12-13, 17-20, 22-27 and 30-32 stand rejected under 35 U.S.C. § 102(e) based on U.S. Patent No. 6,311,194 of Sheth et al. ("Sheth").

Claims 3, 6-7, 11, 21 and 28 stand rejected under 35 U.S.C. § 103(a) based on Sheth in view of U.S. Patent Publication No. 2005/0050269 ("Horn").

### **Summary of Examiner Interview**

A telephonic interview was conducted between the Examiner and Applicants' representative (the undersigned) on December 14, 2007. A proposed amended claim 1 in relation to Sheth was discussed. During the discussion, Applicants' representative explained what limitations are thought to make the proposed claim patentable over the cited art. No particular agreement was reached, and the Examiner indicated that he would further consider Applicants' argument when a formal response is filed.

### **Summary of Amendments**

Claims 1, 9, 17, 24 and 30 have been amended. No new matter has been added. Claims 33-39 have been newly added. No new matter has been added.

## Discussion of Rejections

Applicants respectfully traverse the rejections under 35 U.S.C. §§ 102-103 based on Sheth.

Claim 1, as amended, recites:

1. A machine implemented method for collecting information from a storage server managed by use of a multi-appliance management application (MMA), the method comprising:
  - using an agent to scan the storage server and to collect information regarding files stored by the storage server, wherein the agent is a separate device from the storage server and the MMA;
  - summarizing the information and creating a summary by using the agent;
  - storing the summary on a database server; and
  - outputting the summary to a user interface.

Sheth fails to disclose or suggest such a method. In particular, Sheth does not disclose or teach “using an agent to scan the storage server and to collect information regarding files stored by the storage server, wherein the agent is a separate device from the storage server and the MMA,” contrary to the Examiner’s allegation in the Office Action.

The Examiner appeared to analogize Metabase Agent of Sheth to the agent of claim 1, and Database Server of Sheth to the MMA of claim 1. The Examiner, in the Office Action, alleged that the Metabase Agent in Figure 10 of Sheth is a separate device from the Database Server, as the agent of claim 1 is a separate device from the MMA of claim 1. Figure 10 of Sheth, however, does not show any physical architecture of Metabase Agent related to the Database Server, but merely graphically depicts an example of “asset enhancement” by Metabase Agent, which means “filling out” omitted information with the help of Knowledgebase. (See, for example, l. 3-27 col. 13 of Sheth)

Indeed, according to Sheth, Metabase Agent is not an independent device but is a software module of an integrated software program which is implemented and executed as a whole on a single device, database server 530. Sheth, for example, provides:

The software intelligence underlying the WorldModel, **Metabase Agent**, Extractor, WebCrawler and Quality Control Tools are implemented on a database server 530. (l. 6-9 col. 17 of Sheth)

Furthermore, Metabase Agent of Sheth does not “scan or collect information regarding files stored by the storage server,” as does the agent of claim 1. WebCrawler 3 and Extractor 7, different modules, scan and collect data, respectively, not Metabase Agent 10. Then, Metabase Agent 10 inserts data from Extractor 7 into a database, *i.e.*, Metabase 14, sometimes after “enhancing” data with Knowledgebase 12 as mentioned above. Sheth provides:

Five modules contribute to this task:

- 1) **WebCrawlers** 3 that scan certain Web sites;
  - 2) **Extractors** 7 that do the actual metadata extraction;
  - 3) Knowledgebase 12 that improves the metadata where possible;
  - 4) **Metabase Agent** 10 that inserts the data into the present invention's metabase; and
  - 5) Extractor Administrator 1 that schedules the running of WebCrawlers.
- (l. 10-18 col. 10 of Sheth)

In brief, unlike the agent of claim 1, Metabase Agent of Sheth is not a separate device and does not scan or collect information. Because Sheth does not disclose or teach “using an agent to scan the storage server and to collect information regarding files stored by the storage server, wherein the agent is a separate device from the storage server and the MMA,” much less “summarizing the information and creating a

summary by using the agent," the rejections under 35 U.S.C §§ 102-103 based on Sheth should be withdrawn for at least such reasons.

Independent claims 9, 17, 24, 30, 33 and 36 contain substantially the same features as discussed above regarding claim 1. Therefore, these claims as well as claims dependent upon the independent claims will be allowable for at least the above-mentioned reasons.

Applicants have not necessarily discussed here every reason why every pending independent claim is patentable over the cited art; nonetheless, Applicants are not waiving any argument regarding any such reason or reasons. Applicants reserve the right to raise any such additional argument(s) during the future prosecution of this application, if Applicants deem it necessary or appropriate to do so.

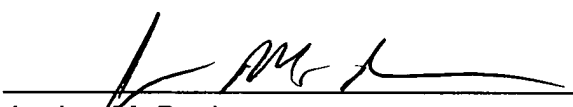
## Conclusion

For the foregoing reasons, the present application is believed to be in condition for allowance, and such action is earnestly requested.

If there are any additional charges/credits, please charge/credit our deposit account no. 02-2666.

Respectfully submitted,  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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Jordan M. Becker  
Reg. No. 39,602

Customer No. 08791  
12400 Wilshire Blvd.  
Seventh Floor  
Los Angeles, CA 90025  
(408) 720-8300